

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 36-1288

WILLIAMS

Serial No. 09/171,921

Filed: October 29, 1998

Title: PORTABLE COMPUTERS

Assistant Commissioner for Patents
Washington, DC 20231



C# M#
Group Art Unit: 2674

Examiner: R. Laneau

Date: April 3, 2001

GAU 2676
17#12
96

Sir:

**REQUEST FOR WITHDRAWAL OF PREMATURE "FINAL" DESIGNATION
AND SUBMISSION OF INFORMATION DISCLOSURE STATEMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

| | | | | |
|----------------------------------------|----|----------------------|--------------|---------|
| Total effective claims after amendment | 0 | minus highest number | | |
| previously paid for | 20 | (at least 20) = | 0 x \$ 18.00 | \$ 0.00 |

| | | | | |
|------------------------------------|---|----------------------|--------------|---------|
| Independent claims after amendment | 0 | minus highest number | | |
| previously paid for | 3 | (at least 3) = | 0 x \$ 80.00 | \$ 0.00 |

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| If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper) | \$ 0.00 |
|----------------------------------------------------------------------------------------------|---------|

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| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months) | \$ 0.00 |
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|---------------------------------------------|---------|
| Terminal disclaimer enclosed, add \$ 110.00 | \$ 0.00 |
|---------------------------------------------|---------|

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|---------------------------------------------------------------------------------------------------------------|---------|
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00) | \$ 0.00 |
|---------------------------------------------------------------------------------------------------------------|---------|

☐ Please enter the previously unentered, filed

☐ Submission attached

| | |
|-----------------|----------------|
| Subtotal | \$ 0.00 |
|-----------------|----------------|

| | |
|-------------------------------------------------------------------|----------|
| If "small entity," then enter half (1/2) of subtotal and subtract | -\$ 0.00 |
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☐ Statement filed herewith

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|----------------------------------------------------------------|-----------|
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | \$ 180.00 |
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| Assignment Recording Fee (\$40.00) | \$ 0.00 |
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|--------|------|
| Other: | 0.00 |
|--------|------|

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|---------------------------|------------------|
| TOTAL FEE ENCLOSED | \$ 180.00 |
|---------------------------|------------------|

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LSN:vc

NIXON & VANDERHYE P.C.
By Atty: Larry S. Nixon, Reg. No. 25,640

Signature:

Larry S. Nixon

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April 3, 2001

Assistant Commissioner for Patents
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PREMATURE "FINAL" DESIGNATION AND SUBMISSION OF
INFORMATION DISCLOSURE STATEMENT**

The Office Action dated 03/22/01 is designated "final", however, the Examiner has for the first time rejected claims that were previously indicated to be allowable -- based upon prior art which is erroneously designated as "newly discovered reference(s) to Andrews and Taguchi et al". Actually, both of these references were expressly included in the Notice of References Cited Form PTO-892 accompanying the Examiner's first substantive Office Action dated 07/13/00. Accordingly, these references are not in fact "newly discovered" and, under the circumstances, designating the Office Action now outstanding as "final" is therefore believed to be premature under standard USPTO/MPEP Operating Procedures. Withdrawal of such designation is respectfully requested.

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In addition, the undersigned attaches a copy of an additional reference just discovered by the applicant: US Patent No. 6,130,666 published 10 October 2000. A copy of this reference and a Form PTO-1449 is attached together with the IDS fee for this stage of prosecution. Official consideration and citation of this additional reference is also respectfully requested.

Applicant will in due course provide a further substantive response to the Office Action dated 03/22/01 and also taking into account the newly discovered Persidsky '666 reference. However, to allow applicant a full and fair opportunity for response, the "final" designation should be removed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon

Reg. No. 25,640

LSN:vc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100